

Town Council Meeting
January 9, 2020

The January 9, 2019, Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Benjamin Eddy Building at 7:00 p.m.

The following members were present:

Denise L. DiFranco, President
Cheryl Hawes, Vice President
Chris Stone
Heidi Rogers
Joe Cardillo

Also present:
Joanna Achille, Assistant Town Solicitor
Kelli Russ, Treasurer
Patti Moreau, Tax Assessor
Carol Mauro, Human Services Director

- I.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.
- II.

PUBLIC COMMENT /
ANNOUNCEMENTS

Denise L. DiFranco asked for a moment of silence for Gail Sherman, who was a former Town Hall clerk who passed away in November. Ms. Sherman’s husband passed away in August.
- III.

CONSENT AGENDA

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Approval of the Town Council Meeting minutes for December 12, 2019

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Approval of Payroll Warrants

○ #24 - \$55,199.95

○ #25 - \$35,871.68

○ #26 - \$34,435.23

○ #27 - \$31,203.14

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General Warrant # 9 \$213,213.70

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Additions and Abatements

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Monthly Reports (November 2019)

○ Building and Zoning

○ Police Department

○ Department of Human Services

○ Planning Department

○ RIRRC

○ Finance

Chris Stone moved, Heidi Rogers seconded, to approve the Consent Agenda as presented.

Discussion: None

Motion passed 5 – 0.

IV.

PUBLIC HEARING

A.

Licenses for Diablo Custom Workz, LLC

Thomas Neves of Diablo Custom Workz, LLC, 72 B Old Danielson Pike applied for new Second Hand, Gun Shop, Holiday Sales Licenses.

Denise L. DiFranco questioned the location of the business as being on 72B Old Danielson Pike. Solicitor Joanna Achille said there was no 72B. Lisa Johnston noted that when she was opening her business that 72B was one of the mailing addresses there.

Denise L. DiFranco asked Adam Dacko about his business in the building. Adam Dacko of 119A Central Pike stated that the physical building has always had two addresses and referred to utility bills he receives. He also noted that under ATF rules he should not be accepting packages that are not his.

Ms. Achille stated that the application did not adhere to town ordinances because there had been no background check done.

Denise L. DiFranco said she spoke to the chief who said he did not know about it. Susan Sprague, Deputy Town Clerk, assured the council that the proper signed paperwork was in the applicant’s folder that the Town Clerk had with her.

Ms. Achille then stated that the applicant must have a Federal Firearm License before being granted a town license and that he would have to reapply. Susan Sprague stated that the applicant wanted to proceed with the same contingency that Adam Dacko did last year because one cannot get the FFL without a licensed address; Mr. Dacko got his license but had to wait a year for it to take effect until he got his FFL. It has cost this applicant a lot of money to advertise and be ready for this hearing.

Gordon Rogers suggested opening the Public Hearing and then continuing it so that the applicant would not have to re-advertise.
- 1

**Town Council Meeting
January 9, 2020**

Denise L. DiFranco asked the applicant what the manufacturing would look like. Mr. Neves replied that it would be if he had to make a part or mill it for repair.

There was further discussion on the mailing vs. the physical address. Denise L. DiFranco suggested continuing the public hearing until the issues have been clarified.

Ron Cervasio stated that there had been a legal agreement with Mr. Chabot regarding the bait shack and thus there is no legal 52A because it should have been dropped.

Chris Stone moved to continue the public hearing to January 23. Heidi Rogers seconded.
Motion passed 5 – 0.

V. OLD BUSINESS

**A. Charter Review
Commission Draft**

Jon Restivo reviewed the suggested changes to the Town Charter, including proposed 4-year terms for Council Members and the Town Clerk; removal of the Sealer of Weights & Measures position because that is no longer a town position; the appointment of a Town Manager for a 5-year term; increasing the amount of money apportioned to capital; changing “Town Treasurer” to “Finance Director”; proposing non-partisan municipal elections; changing the purchasing language so that bidding and purchasing requirements are only controlled by state law; and allowing for the recall of elected officials.

Heidi Rogers moved, Chris Stone seconded, to extend the term of the Charter Review Commission to April 1st to allow them to meet with the Economic Development Committee.

Discussion: Kathleen Swanson, Denise L. DiFranco, Bob Boyden, David Paolino, Robert DePalo, Bob Moreau, Anthony Renzi, and Ron Cervasio.

Motion passed 5 – 0.

**B. Zoning Board of Review
Appointment**

Xephyr Inkpen introduced herself as an interested applicant for the Zoning Board position. Denise L. DiFranco said that Town Planner Jennifer Siciliano met with Ms. Inkpen and explained what the position entailed. Denise L. DiFranco stated that she had also spoken with Ms. Inkpen.

Heidi Rogers moved, Joe Cardillo seconded, to appoint Xephyr Inkpen to the Zoning Board December 31, 2025.

Discussion: None.

Motion passed 5 – 0.

**C. Recreation Committee
Appointment**

Denise L. DiFranco stated that Danielle Scott requested reappointment to the Recreation Committee.

Joe Cardillo moved, Cheryl Hawes seconded, to reappoint Danielle Scott to the Recreation Committee.

Discussion: None

Motion passed 5 – 0.

VI. NEW BUSINESS

**A. DPW Director’s
Appointment**

Joe Cardillo moved, Cheryl Hawes seconded, to table this item because three new applications had been received and there was no time limit stated.

Discussion: Kelli Russ, Joe Cardillo, Chris Stone, Dan Lemoi, Eli Berkowitz, Gordon Rogers, Bob Moreau, Denise L. DiFranco, Lynne Rider, Louis Pezza, and Lisa Johnston.

Motion failed 2 – 2. Heidi Rogers recused herself.

Chris Stone moved, Joe Cardillo seconded, to appoint Gordon Rogers to the position of DPW Director.

Discussion: None.

Motion failed 2 – 2. Heidi Rogers recused herself.

Denise L. DiFranco stated that the second vote failed so this brings the appointment back to considering the new applicants.

Discussion: Larry Daniels, Joe Cardillo, Cheryl Hawes, Denise L. DiFranco.

**Town Council Meeting
January 9, 2020**

Ron Cervasio suggested ending the acceptance of applications. Cheryl Hawes moved, Joe Cardillo seconded, to end accepting applications.
Discussion: None.
Motion passed 4-0. Heidi Rogers recused herself.

B. Turbine Ordinance

Denise L. DiFranco stated that she added the Turbine Ordinance but it lacked information on the agenda to discuss. Joe Cardillo moved, Chris Stone seconded, to table this item to the January 23rd meeting.
Discussion: Anthony Renzi, Gordon Rogers
Motion passed 5 – 0.

**C. Human Services Driver
Job Description**

Carol Mauro, Human Services Director, submitted a job description for the transport van driver position to the town council for review. She would add, after speaking with Ambulance Commander Ginny Colwell, that CPR be a requirement for the position. She hopes to advertise in February and have the position filled by March. Cheryl Hawes moved, Heidi Rogers seconded, to accept the job description with the addition of CPR as a requirement.
Discussion: Lynne Rider, Carol Mauro, Heidi Rogers, Motion passed 5 – 0.

Carol Mauro asked about getting permission to advertise. That item will be added to the next agenda.

**D. Resolution 2020-01 RE:
Gas Tax**

Heidi Rogers read the Resolution Opposing the TCI Gas Tax and Transportation and Climate Initiative (see Exhibit A). Cheryl Hawes moved, Heidi Rogers seconded, to support the resolution.
Discussion: Cheryl Hawes, Walter May, Ron Cervasio, Lisa Johnston, Gordon Rogers, Xephyr Inkpen, Lynne Rider, Jeff Sheldon, and Bob Moreau.
Motion passed 4-1.

**E. Personnel Policy RE:
Controlled Substances**

Kelli Russ explained that the Trust updated the Controlled Substance and Alcohol Testing Policy for Personnel adding that employees be vetted through the Federal Clearing House for new hires. Heidi Rogers moved, Joe Cardillo seconded, to adopt the changes.
Discussion: Anthony Renzi, Kelli Russ
Motion passed 5 – 0.

VII. FUTURE AGENDA ITEMS

- Meeting with Land Trust
- Workshop with the Planning Board, Economic Development Committee, and the Charter Commission
- DPW appointment
- Public Hearing – wind turbine ordinance / moratorium
- Advertisement for the van driver position
- Issues with private road maintenance

VIII. EXECUTIVE SESSION

Heidi Rogers moved, Chris Stone seconded to go into Executive Session pursuant to RIGL 42-46-5A (2) Litigation and 42-46-5 (A), (1) Personnel

**RETURN TO OPEN
SESSION**

Denise L. DiFranco announced that four votes were taken in Executive Session:
One to hire Norm Shippee as a full-time mechanic for the DPW department. Motion passed 5 – 0.
One to allow Norm Shippee to take up to 15 days unpaid leave during the 2020 year. Motion passed 5 – 0.
Motion to add the Union Contract to the agenda for discussion only. Motion passed 5 – 0.
Motion to add potential litigation with Foster Feed to the agenda for discussion only. Motion passed 5 – 0.

Town Council Meeting
January 9, 2020

IX. ADJOURNMENT

Chris Stone moved to adjourn at 9:10 p.m.

Submitted by:

Susan Dillon, Town Clerk